

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

2345/218

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/542102

INTERNATIONAL APPLICATION NO

PCT/DE2004/000179

INTERNATIONAL FILING DATE

(4.02.2004)

4 February 2004

PRIORITY DATE CLAIMED:

(17.02.2003)

17 February 2003

TITLE OF INVENTION

ADMINISTRATOR FOR AUTOMATICALLY ADAPTING A TRANSMISSION CHANNEL

APPLICANT(S) FOR DO/EO/US

Frank BINDEL; Ludwig BRACKMANN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Any amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of any amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (unsigned).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification and marked up copy of the substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: PCT/RO/101, first page of WO 2004/073258, International Search Report Translation

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/542102		INTERNATIONAL APPLICATION NO. PCT/DE2004/000179		ATTORNEY'S DOCKET NUMBER 2345/218	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic National Fee				\$ 300.00	\$ 300.00
<input checked="" type="checkbox"/> b) Examination Fee				\$ 200.00	\$ 200.00
<input checked="" type="checkbox"/> c) Search Fee				\$ 400.00	\$ 400.00
TOTAL OF ABOVE CALCULATIONS				\$900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
-100	/50=			x \$250	\$0
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	15 - 20 =	0	x \$50.00		\$ 0.00
Independent Claims	3 - 3 =	0	x \$200.00		\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =					\$ 0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
SUBTOTAL =					\$900.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$
TOTAL NATIONAL FEE =					\$900.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					\$
TOTAL FEES ENCLOSED =					\$ 900.00
					Amount to be refunded: \$
					Amount to be charged \$ 900.00
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 11-0600 in the amount of \$900.00 to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO: KENYON & KENYON One Broadway New York, New York 10004 CUSTOMER NO. 26646</p>			<p>By: <i>[Signature]</i> SIGNATURE <u>Richard L. Mayer (Reg. No. 22,490)</u> NAME DATE <u>July 11, 2005</u></p>		